



STEVE COOLEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

18000 CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER
210 WEST TEMPLE STREET LOS ANGELES, CA 90012-3210 (213) 974-3501

April 19, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AUTHORIZE THE LOS ANGELES COUNTY DISTRICT ATTORNEY TO
ACCEPT TWO-YEAR FUNDING FROM THE STATE OF CALIFORNIA,
VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD (VCGCB)
FOR THE CRIMINAL RESTITUTION COMPACT (CRC)
FOR FISCAL YEARS 2005-06 AND 2006-07
ALL DISTRICTS (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the enclosed Resolution authorizing the Los Angeles County District Attorney, on behalf of the County of Los Angeles, to enter into an Agreement with the State of California, VCGCB; and to accept two-year funding for the CRC in the amount of \$535,744, or \$267,872 for each fiscal year during the period July 1, 2005 through June 30, 2007.
2. Authorize the District Attorney or his designee, on behalf of the County of Los Angeles, to serve as Project Director for the CRC and to sign and approve revisions that do not affect the net County cost of the Agreement.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Agreement allows the District Attorney's Office to ensure appropriate restitution fines and orders are in place for all convicted offenders. VCGCB has allocated funding to the District Attorney for the past seven years for this program.

As part of the Agreement, the State requires adoption of the enclosed Resolution, which has been approved as to form by County Counsel.

Implementation of Strategic Plan Goals

Consistent with the County's Strategic Plan Goal No. 1, Service Excellence, this program promotes the fiscal well-being of individuals and families. This program also secures an available revenue source at the State level which is consistent with Strategic Plan Goal No. 4, Fiscal Responsibility.

FISCAL IMPACT/FINANCING:

The total estimated cost for this two-year grant program is \$535,744. Funding in the amount of \$267,872 was included in the District Attorney's 2005-06 budget and a similar amount will be included in the 2006-07 budget. VCGCB funding will fully offset CRC program costs.

If funding for this Agreement were terminated, an evaluation would be conducted to determine whether the program would either be continued with costs absorbed by the department, or discontinued with the reallocation of staff to vacant-budgeted positions.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

Pursuant to Penal Code Section 13835.2, the Los Angeles County Board of Supervisors designated the District Attorney's Office as the major provider of comprehensive services to victims and witnesses of crime for the County. The District Attorney's Office has ensured restitution fines and orders were properly administered for the past seven years.

Budgeted program staff, consisting of 3.0 Paralegals and 1.0 Intermediate Typist Clerk, work with the County criminal justice system to insure that a restitution order is imposed in all appropriate cases in accordance with applicable statutes and specifications of the Agreement. This includes monitoring claims associated with restitution orders and conducting training and outreach regarding restitution to agencies in the County. Additionally, the Paralegals serve as a County resource on restitution issues, statutes, and case law and may engage in assisting victims in obtaining restitution orders for losses incurred as a direct result of a crime.

Collections on restitution orders from adult and juvenile offenders placed on formal probation have increased. In FY 2001-02, a total of \$6,907,661.63 was collected. This amount increased to \$7,150,576.16 in FY 2002-03 and also increased in FY 2003-04 by 15% to \$8,262,440.84.

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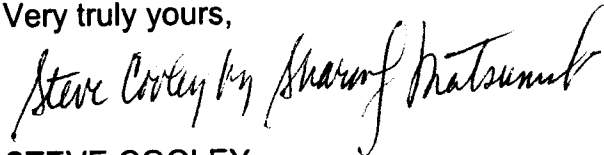
IMPACT ON CURRENT SERVICES (OR PROJECTS):

This program does not propose attorney staff augmentation. Therefore, the District Attorney's Office is not subject to the Board motion of December 15, 1998 requiring clearance with the Alternate Public Defender, Probation, Public Defender and Sheriff's Departments.

CONCLUSION:

Following Board authorization to approve the agreement for this program, the Executive Officer-Clerk of the Board is requested to return a copy of the adopted Board letter and two (2) copies of the approved Resolution, containing original signatures, to Albert Ablaza, Contracts and Grants Unit, Los Angeles County District Attorney's Office, 201 North Figueroa Street, Suite 1300, Los Angeles, California 90012. Any questions may be directed to Mr. Ablaza via e-mail at aablaza@da.co.la.ca.us or by telephone at (213) 202-7683.

Very truly yours,



STEVE COOLEY
District Attorney

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Enclosure

c: Chief Administrative Officer
County Counsel

Los Angeles County Chief Administrative Office
Grant Management Statement for Grants Exceeding \$100,000

Department: Los Angeles County District Attorney's Office

Grant Project Title and Description

The Criminal Restitution Compact insures restitution orders are imposed in all appropriate cases in accordance with applicable statutes and specifications of the Agreement. This includes monitoring claims associated with restitution orders, conducting training and outreach regarding restitution to agencies in the County. Staff will also serve as a county resource on restitution issues, statutes, case law, and may engage in assisting victims in obtaining restitution orders for losses incurred as a direct result of a crime.

Funding Agency
Victim Compensation and
Government Claims Board

Program (Fed. Grant # /State Bill or Code #)
VCGC5082

Grant Acceptance Deadline
May 10, 2005

Total Amount of Grant Funding: County = \$535,744

County Match:-0-

Grant Period: 2005-2007

Begin Date: July 1, 2005

End Date: June 30, 2007

Number of Personnel Hired Under This Grant:

Full Time 4

PartTime 0

Obligations Imposed on the County When the Grant Expires

Will all personnel hired for this program be informed this is a grant-funded program? Yes x No

Will all personnel hired for this program be placed on temporary ("N") items? Yes x No

Is the County obligated to continue this program after the grant expires? Yes No x

If the County is not obligated to continue this program after the grant expires, the Department will:

a). Absorb the program cost without reducing other services Yes No X

b). Identify other revenue sources Yes No X

(Describe) _____

c). Eliminate or reduce, as appropriate, positions/program costs funded by the grant. Yes x No

Impact of additional personnel on existing space:

Department Head Signature

Steve Corley by Marj Matsumoto

Date

3/31/05

1 **BOARD OF SUPERVISORS**
2 **COUNTY OF LOS ANGELES**

3 **RESOLUTION**

4 Accept Criminal Restitution Compact
5 Agreement with the State of California
6 Victim Compensation and Government Claims Board
7 Pursuant to California Penal Code Section 13835 et. seq

8 **WHEREAS**, the County of Los Angeles is charged with providing vital
9 services in the area of courts, law enforcement, and adult and juvenile
10 justice to a population in excess of ten million persons; and

11 **WHEREAS**, the County of Los Angeles is authorized, pursuant to
12 Government Code Section 26500.5, to participate in any project or program
13 to improve the administration of justice; and

14 **WHEREAS**, the Board of Supervisors of the County of Los Angeles,
15 pursuant to Penal Code Section 13835.2, has designated the Office of the
16 District Attorney through its Victim-Witness Assistance Program as the major
17 provider of comprehensive services to victims and witnesses of crime; and

18 **WHEREAS**, the Victim Compensation and Government Claims Board
19 has been authorized funds to contract with local Victim-Witness Centers to
20 ensure restitution fines and orders are properly administered; and

21 **WHEREAS**, the County of Los Angeles, acting through its Board of
22 Supervisors, desires to participate in such a program entitled the Criminal
23 Restitution Compact for the two-year period commencing July 1, 2005 and
24 ending June 30, 2007, and has the capability of providing such services
25 through its center; and

26 **WHEREAS**, the Victim Compensation and Government Claims Board
has allocated funds for County Fiscal Years 2005-06 and 2006-07 for the
Los Angeles County District Attorney's "Criminal Restitution Compact"
Program to fund four positions, namely three Paralegals and one Intermediate

1 Typist Clerk that will ensure restitution fines and orders are properly
2 administered in accordance with applicable statutes;

3 **NOW THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of
4 the County of Los Angeles approves the submission of and acceptance of
5 continued funding for a period of twenty four months commencing July 1,
6 2005 and ending June 30, 2007, upon approval of both the State and
7 County, by the State of California, Victim Compensation and Government
8 Claims Board for the above-referenced program;

9 **BE IT FURTHER RESOLVED** that the Board of Supervisors of the
10 County of Los Angeles hereby approves acceptance of funds to be used
11 exclusively for the designated program, which may be awarded pursuant to
12 the Standard Agreement;

13 **BE IT FURTHER RESOLVED** that the state funds received hereunder
14 shall not be used to supplant local funds controlled by this body;

15 **BE IT FURTHER RESOLVED** that the Board of Supervisors of the
16 County of Los Angeles hereby authorizes the District Attorney or his
17 designee, to serve as Project Director for said program and to execute on
18 behalf of Los Angeles County the Agreement, and to perform all further
19 tasks necessary for the completion of the project, including execution and
20 submission of amendments, progress reports and payment requests to the
21 Agreement;

22 **IT IS AGREED** that liability arising out of the performance of the
23 Criminal Restitution Compact Agreement, including civil court actions for
24 damages, shall be the responsibility of the grant recipient and the authorizing
25 agency. It is recognized that the State of California, Victim Compensation
26 and Government Claims Board disclaims any responsibility for any such
liability;

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Board of Supervisors of the County of Los Angeles this _____ day of _____, 2005.

by _____
Chair, Board of Supervisors

By _____
Deputy

By Kane Brown
Deputy